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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,	)	No. CR 10-0906 JSW
Plaintiff,	)	
v.	)	<del>[PROPOSED]</del> ORDER OF DETENTION
DARRELL ROBINSON,	)	PENDING TRIAL
Defendant.	)	

The Court held a detention hearing in this matter on April 6, 2011. The defendant, Darrell Robinson, was present at the hearing and was represented by John Jordan. Assistant United States Attorney Drew Caputo appeared for the United States.

Pretrial Services submitted a report to the Court and the parties that recommended detention, and a representative from Pretrial Services was present at the hearing. The government requested detention, and defendant opposed. Proffers and arguments regarding detention were presented by the parties at the hearings.

Upon consideration of the facts, proffers and arguments presented, the Court finds by a preponderance of the evidence that no condition or combination of conditions of release will

[PROPOSED] DETENTION ORDER  
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1 reasonably assure the appearance of defendant as required and by clear and convincing evidence  
2 that no condition or combination of conditions will reasonably assure the safety of other persons  
3 and the community. Accordingly, the Court concludes that defendant must be detained pending  
4 trial in this matter.

5 The present order supplements the Court's findings at the detention hearing and serves as  
6 written findings of fact and a statement of reasons as required by 18 U.S.C. § 3142(i)(1).

7 The Court makes the following findings as basis for its conclusion that no condition or  
8 combination of conditions will reasonably assure the appearance of defendant as required.  
9 Defendant has a very lengthy criminal record that includes multiple convictions for both felonies  
10 and misdemeanors. In addition, his record includes a large number of failures to appear and  
11 violations of probation and parole. Taken together, these elements of defendant's record show  
12 that he is not amenable to supervision and presents an unquestionably significant risk of non-  
13 appearance that could not be mitigated adequately by conditions of release.

14 The Court makes the following findings as basis for its conclusion that no condition or  
15 combination of conditions will reasonably assure the safety of other persons and the community.  
16 Defendant's lengthy criminal record, multiple failures to appear, and multiple violations of  
17 probation and parole indicate that he would pose a danger to the community if he were released.  
18 When out of custody, defendant appears to have subsisted largely as a drug dealer and also  
19 appears to have had access to firearms. Taken together, all of these considerations indicate that  
20 defendant presents a risk of danger to other persons and the community that cannot be mitigated  
21 adequately by conditions of release.

22 Pursuant to 18 U.S.C. § 3142(i), IT IS ORDERED THAT:

23 1. Defendant be committed to the custody of the Attorney General for confinement  
24 in a corrections facility separate, to the extent practicable, from persons awaiting or serving  
25 sentences or being held in custody pending appeal;

26 2. Defendant be afforded reasonable opportunity for private consultation with his  
27 counsel; and

28 3. On order of a court of the United States or on request of an attorney for the

1 government, the person in charge of the corrections facility in which defendant is confined shall  
2 deliver defendant to an authorized deputy United States marshal for the purpose of any  
3 appearance in connection with a court proceeding.

4  
5 Dated: 4-7-11

  
HONORABLE JAMES LARSON  
United States Magistrate Judge